



STATE OF WISCONSIN

Senate Journal

October 2007 Special Session

11:00 A.M.

MONDAY, October 15, 2007

The Senate met.

The Senate was called to order by President Risser.

The State of Wisconsin Office of the Governor

EXECUTIVE ORDER #219

Relating to a Special Session of the Legislature

I, Jim Doyle, Governor of the State of Wisconsin, pursuant to Article IV, Section 11 and Article V, Section 4 of the Wisconsin Constitution, do hereby require the convening of a special session of the Legislature at the Capitol in Madison, beginning at 11:00 a.m. on October 15, 2007, solely to consider and act upon legislation relating to: state finances and appropriations, constituting the executive budget act of the 2007 legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this ninth day of October, in the year two thousand seven.

JIM DOYLE
Governor

BY THE GOVERNOR:
DOUGLAS LA FOLLETTE
Secretary of State

CALL OF ROLL

The roll was called and the following Senators answered to their names:

Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 33.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Jauch led the Senate in the pledge of allegiance to the flag of the United States of America.

REPORT OF COMMITTEES

The committee on **Senate Organization** reports and recommends:

Senate Bill 1, October 2007 Special Session

Relating to: state finances and appropriations, other than state finances and appropriations for operations of the Department of Transportation and programs administered by the Department of Transportation, constituting a biennial budget act of the 2007 legislature.

Introduction.

Ayes, 3 – Senators Robson, Risser, and Hansen.
Noes, 2 – Senators Fitzgerald and Leibham.

Senate Bill 2, October 2007 Special Session

Relating to: state finances and appropriations for the Department of Transportation, the operations and programs of the Department of Transportation, creating an oil company assessment, commuter rail transit systems, authorized emergency vehicles, intoxicated operation of an aircraft, bonding authority, granting rule-making authority, making appropriations, and providing penalties.

Introduction.

Ayes, 3 – Senators Robson, Risser, and Hansen.
Noes, 2 – Senators Fitzgerald and Leibham.

JUDITH B. ROBSON
Chairperson

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS; REFERENCE OF APPOINTMENTS

Read first time and referred:

Senate Bill 1, October 2007 Special Session

Relating to: state finances and appropriations, other than state finances and appropriations for operations of the Department of Transportation and programs administered by the Department of Transportation, constituting a biennial budget act of the 2007 legislature.

By committee on Senate Organization.
To joint committee on **Finance**.

Senate Bill 2, October 2007 Special Session

Relating to: state finances and appropriations for the Department of Transportation, the operations and programs of the Department of Transportation, creating an oil company assessment, commuter rail transit systems, authorized emergency vehicles, intoxicated operation of an aircraft,

bonding authority, granting rule-making authority, making appropriations, and providing penalties.

By committee on Senate Organization.

To joint committee on **Finance**.

Senator Miller, with unanimous consent, asked that the Senate recess until 1:00 P.M.

11:06 A.M.

RECESS

1:00 P.M.

The Senate reconvened.

President Risser in the chair.

The Chair noted the possible lack of a quorum.

The roll was called and a quorum was present.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senator Robson, with unanimous consent, asked that the rules be suspended and that **Senate Bill 1, October 2007 Special Session** be withdrawn and taken up at this time.

Senate Bill 1, October 2007 Special Session

Relating to: state finances and appropriations, other than state finances and appropriations for operations of the Department of Transportation and programs administered by the Department of Transportation, constituting a biennial budget act of the 2007 legislature.

Read a second time.

Senate substitute amendment 1 to **Senate Bill 1, October 2007 Special Session** offered by Senators Darling, Harsdorf, Kapanke, Cowles, Ellis, S. Fitzgerald, Grothman, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz.

Senator Leibham, with unanimous consent, asked that Senator Fitzgerald be granted a leave of absence for the balance of today's session.

Senator Robson moved that Senate substitute amendment 1 to **Senate Bill 1, October 2007 Special Session** be laid on the table.

The question was: Shall Senate substitute amendment 1 to **Senate Bill 1, October 2007 Special Session** be laid on the table?

The ayes and noes were required and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirsch – 18.

Noes – Senators Cowles, Darling, Ellis, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz – 14.

Absent or not voting – Senator S. Fitzgerald – 1.

Tabled.

Senate amendment 1 to **Senate Bill 1, October 2007 Special Session** offered by Senator Robson.

The question was: Adoption of Senate amendment 1 to **Senate Bill 1, October 2007 Special Session**?

Adopted.

Ordered to a third reading.

Senator Robson, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 1, October 2007 Special Session

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirsch – 18.

Noes – Senators Cowles, Darling, Ellis, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz – 14.

Absent or not voting – Senator S. Fitzgerald – 1.

Passed.

Senator Robson, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

Senator Robson, with unanimous consent, asked that the rules be suspended and that **Senate Bill 2, October 2007 Special Session** be withdrawn and taken up at this time.

Senate Bill 2, October 2007 Special Session

Relating to: state finances and appropriations for the Department of Transportation, the operations and programs of the Department of Transportation, creating an oil company assessment, commuter rail transit systems, authorized emergency vehicles, intoxicated operation of an aircraft, bonding authority, granting rule-making authority, making appropriations, and providing penalties.

Read a second time.

Senate amendment 1 to **Senate Bill 2, October 2007 Special Session** offered by Senator Decker.

The question was: Adoption of Senate amendment 1 to **Senate Bill 2, October 2007 Special Session**?

Adopted.

Ordered to a third reading.

Senator Robson, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 2, October 2007 Special Session

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirsch – 18.

Noes – Senators Cowles, Darling, Ellis, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz – 14.

Absent or not voting – Senator S. Fitzgerald – 1.

Passed.

Senator Robson, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Kedzie, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Rogers Memorial Hospital 100th Anniversary. October 3, 2007 marked 100 years of Rogers Memorial Hospital providing care and treatment for individuals in need of a variety services, including chemical dependency, eating disorders, anxiety, or Obsessive-Compulsive Disorder. Rogers Memorial Hospital has facilities in Oconomowoc, Milwaukee, Brown Deer, and Kenosha and over the last century has enriched countless numbers of peoples' lives through caring, compassionate treatment and healing.

Senator Kreitlow, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Eau Claire Express baseball team. Some of my colleagues on the floor should be dressed separately because of a friendly wager between those of us representing Northwoods League cities who pledged to wear the jerseys of the team with the best head-to-head record. I am proud to say that the Eau Claire Express were this year's champions and I look forward to my colleagues wearing Express jersey's when we convene in the spring closer to the new season. I want to thank my colleagues and their teams for giving so many Wisconsin residents a great venue for minor league baseball enjoyment and congratulate the Eau Claire Express for their Northwoods League Championship.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of John Morrissey, the new police chief of Kenosha.

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in memory of William A. Allen of Marshfield who died on Friday, September 14, 2007.

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Clifford L. Mancheski of Stevens Point who died on Thursday, September 13, 2007.

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in memory of Helen Johnson of Stevens Point who died on Sunday, September 23, 2007.

Senator Kapanke, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Hansen's Green Bay Bullfrogs and Senator Kreitlow's Eau Claire Express baseball teams.

Senator Hansen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the upcoming birth of his new grandson Tyler Paul Zaidel on Friday, October 19th. Tyler's parents are Paul and Kathy Zaidel.

Senator Hansen, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Green Bay Bullfrogs.

Senator Robson, with unanimous consent, asked that when the Senate adjourn, it do so in honor of her granddaughter Ryanne Robson's 13th Birthday on October 11th.

Senator Robson, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Fitzgerald — on life and survival and best wishes on a speedy recovery.

Senator Leibham, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Lassa congratulating her on the birth of her daughter.

Senator Leibham, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Senator Fitzgerald wishing him the best.

ADJOURNMENT

Senator Robson, with unanimous consent, asked that the October 2007 Special Session of the Senate adjourn until Tuesday, October 16, 2007 at 11:00 A.M.

Adjourned.

4:55 P.M.